U.S. Department of Justice

Federal Bureau of Prisons

Metropolitan Correctional Center

808 Union Street
San Diego, CA 92101

March 7, 2008

The Honorable William Q. Hayes
United States District Judge
940 Front Street
San Diego, CA 92101

RE: United States of America v. Julio Rivas-Garcia
Docket Number: 08-CR-0083-WQH

Dear Judge Hayes:

The purpose of this correspondence is to advise the Court of the status of a court ordered psychological evaluation on the above referenced defendant and to request an extension of time. Mr. Rivas-Garcia's evaluation is being conducted by a psychologist at the Metropolitan Correctional Center in San Diego (MCC San Diego).

In accordance with 18 U.S.C. § 4247(b), the examiner has up to thirty days to prepare such report. The statute also sets forth that an additional fifteen days may be granted upon a good showing why an extension of time is needed.

At the present time, MCC San Diego has several other pending court ordered evaluations. Furthermore, the Psychology Department is short staffed and our forensic psychologists are covering additional duties. We respectfully request that the Court grant MCC San Diego until April 7, 2008, to complete the evaluation and prepare the report. If granted, we will provide the report to the Court and copies to the prosecuting and defense attorneys on or before April 7, 2008.

If you have any questions, please contact me at (619) 232-4555.

Sincerely,

for Paula M. Jarnecke
Warden

cc: Ellis M. Johnston III, Federal Defenders of San Diego
Lawrence A. Casper, Assistant United States Attorney